



State of New Hampshire  
**WATER WELL BOARD**



Kelly M. Dobrowolski, *Pump Installer, Chair*  
Peter W. Caswell, C.W.D. - P.I., *Water Well Contractor*  
Scott Costa, C.W.D. - P.I., *Water Well Contractor*  
Abigail Fopiano, P.G., *Staff*

Bart Cushing, *Technical Driller*  
Rene Pelletier, P.G., *Dept. of Environmental Services*  
Frederick H. Chormann, Jr., P.G., *State Geologist*  
Steve Lamb, P.G., *Public Member*

Final  
NH WATER WELL BOARD MINUTES

June 6, 2019

A meeting of the New Hampshire Water Well Board ("Board") was held on June 6, 2019, in the Department of Environmental Services (DES) Building in rooms 112 & 113, 29 Hazen Drive, Concord, NH 03301.

Present were: Kelly Dobrowolski, Chair  
Board Members: Rene Pelletier, Rick Chormann, Scott Costa, Bart Cushing, and Peter Caswell  
DES Staff: Abigail Fopiano

*Ms. Dobrowolski opened the meeting at 9:36 A.M. The Board members introduced themselves and welcomed the public in attendance.*

**Approval of Minutes**

The Board reviewed the Minutes for the April 4, 2019 Board meeting. Ms. Dobrowolski noted a correction to be made, changing a licensee denotation from technical pump installer to industrial pump installer. Mr. Pelletier motioned to approve the April 4, 2019 Water Well Board Minutes. Mr. Caswell seconded the motion and the Board unanimously voted to accept the minutes.

**New license Applications**

Two new applications were presented to the Board. The first applicant, Mark Brunelle, is seeking a dug well water well contractor license under his company, On Site Contracting, out of Grantham, NH. On Site Contracting is not a currently licensed company. The Board invited Mr. Brunelle to the table to discuss the application. Following a discussion, Mr. Pelletier motioned to allow the applicant to sit for the exam. Mr. Chormann seconded the motion. The Board unanimously voted to allow the applicant to sit for the exam.

The second applicant, Nick Manosh, is seeking an industrial pump installer license under N.A. Manosh, Inc. out of Morrisville, VT. Nick Manosh currently holds a rotary drilling water well contractor license under N.A. Manosh, Inc. Following review of the application, Mr. Costa motioned to allow the applicant to sit for the exam. Mr. Pelletier seconded the motion. The Board voted unanimously to allow the applicant to sit for the exam.

**Probation Report**

Ms. Fopiano reported that four licensees, Lucy Faxon (License #1768), Tri-State Drilling & Boring (License #1762), Roth Artesian Well Company (License #20), and Wash Well Company (License #1464) are considered in compliance with the terms of their probation.

**DES Enforcement Reports**

Ms. Emily Jones presented a report for the Board on the enforcement actions initiated by DES for the violations of RSA 482- B and the rules of the Board, We 100 – 1000. The report included an overview of violations and current DES enforcement actions of the Water Well Board rules.

**Well Completion Reporting Summary Follow-up**

Ms. Fopiano presented an update to the Board regarding the Board's decision to confirm well competition reporting numbers with selected licensees from the years 2015-2018. After discussion, the Board requested Ms. Fopiano prepare follow-up letters for all licensees who have not responded to the original letter or licensees who needed additional time to review their files. This letter is to give licensees 30 days (by July 15) to submit all outstanding well reports and submit an affidavit stating they are current in their well completion reporting. The Board directed Ms. Fopiano to schedule and Administrative Hearing at the next meeting on August 29, 2019 for any licensees whose affidavit is not received by July 15.

*Ms. Dobrowolski called for a break in the meeting at 10:45 am and resumed the meeting at 10:54 am.*

**Water Well Board Legal Counsel**

Mr. Lavallee, the Attorney General's Office legal counsel for the Water Well Board was invited to the table.

*Mr. Pelletier motioned to go into a non-meeting so the Board can consult with legal counsel. Mr. Costa seconded the motion. The Board unanimously voted to go into non-meeting at 10:55 to converse with counsel.*

*Mr. Chormann left the meeting at 12:00 pm*

*Ms. Dobrowolski resumed the public meeting at 12:15 pm. With a motion from Mr. Pelletier and seconded by Mr. Caswell. The Board unanimously voted to come out of non-meeting at 12:15.*

**Decision to Accept Appeal to DES Enforcement Decision**

In May 2019, the Board received an Appeal request to a recent DES Decision against two unlicensed respondents, Kevin Cole of KK&S Development, LLC and David Lovlien of Northpoint Mechanical, who were found by DES to have willfully violated Water Well Board rules. In an appeal process (RSA 482-B:16, II.), the case goes to the Water Well Board in an Appeals Hearing, where the Board may uphold or overturn the Decision and/or impose a lesser or greater fine. However, the respondents Appeal request was submitted four days past the 30-day deadline. The Board has the authority to accept the late request. The Attorney General office submitted a Motion to Dismiss to the Board, stating the late

submittal as good reason for dismissal. The respondents had 10 days to respond to the Motion to Dismiss; the 10-day deadline is June 7. The Board discussed granting the appeal request, even though it was filed four days late. After discussion, Mr. Pelletier motioned that if the Board does not receive a response to the Attorney General's Motion to Dismiss by the close of business on June 7, the Board would deny the appeal request based on We 202.04(c), failure to properly respond in a timely manner. Mr. Cushing seconded the motion and the Board unanimously voted to accept the motion. The Board discussed that if a response is received, the appeal request and all pertinent motions and responses to motions, would be reviewed at the next Board meeting scheduled for August 29, 2019

### **DES Fact Sheet Review**

#### **Point Well Design, WD-DWGB-1-6**

The Board discussed changes that can be made to the DES fact sheet concerning point well design. Ms. Dobrowolski provided notes and edits to the existing fact sheet. Ms. Fopiano will work to update the fact sheet considering the edits discussed by the Board.

#### **Extending Bedrock Well Casings, WD-DWGB-1-4**

The Board discussed changes that can be made to the DES fact sheet concerning extending bedrock well casings. Mr. Cushing provided notes and edits to the existing fact sheet. Ms. Fopiano will work to update the fact sheet considering the edits discussed by the Board.

#### **Well Development by Hydro-fracturing, WD-DWGB-1-3**

Mr. Cushing will review the DES fact sheet that discusses well development by hydro-fracturing and will provide edits for the Board to review at the next meeting.

### **Old Business**

#### **Preview Process to Create Laws and Change Administrative Rules**

As requested during the last Board meeting, Ms. Fopiano presented the Board with a summary on the process of creating laws and changing administrative rules. The Board briefly discussed the summary.

#### **Well Completion Report Database Update**

Ms. Fopiano presented an update of the current state of the well completion report database. This update included an estimation of reports not yet log into the electronic database, and an estimate of the time it will take to have the reports entered into the database. The Board discussed other issues and possible future changes to the database.

#### **Water Treatment**

As follow-up from the last Board meeting, Ms. Fopiano updated the Board on a treatment option for radon which incorporates the installation of a drop pipe, for the injection of air, directly into a well. The Board discussed the topic and reaffirmed their position that a pump installers license is needed to install equipment in a well.

Ms. Fopiano provided the Board with a synopsis of a meeting she had with members of DES and the Mechanical Board relative to the Voluntary Certification of Water Treatment Technicians law (RSA 153:38) and proposed rules. Ms. Fopiano noted that the Board chair will be contacted to join in future discussions as provide input from the water well and pump installer side of the water treatment industry.

### **New Business**

#### **2019-2020 Board Membership**

Ms. Fopiano reminded the Board that Board elections would be taking place when the Board meets in August. Public Member Steve Lambs first term ends in September, 2019, Mr. Lamb pervious noted to Ms. Fopiano that he will take the position for a second term. In August, the Board will vote to accept his second term and vote on a Chair for the upcoming year.

Ms. Fopiano presented the Board with graphs of well completion data. Some of the graphs may be included in the upcoming Newsletter to be distributed to licenses with the license renewals. Ms. Fopiano request the board provide input as to any messaging the Board would like to see in the Newsletter.

*Mr. Costa motioned to adjourn the meeting. Mr. Cushing seconded the motion, and the Board unanimously voted to adjourn at 1:42 P.M.*



Rene Pelletier  
Water Well Board Secretary